

1. AMENDMENTS TO THE CLAIMS (LISTING OF CLAIMS):

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) An ~~isolated polynucleotide~~expression vector comprising, in 5' to 3' order:

- (a) ~~an HSV LAT enhancer element that consists essentially of a contiguous nucleotide sequence from about nucleotide 118,975 to about nucleotide 120,471 of SEQ ID NO:109, SEQ ID NO:110, or SEQ ID NO:111;~~
- (b) ~~—~~a first isolated HSV LAT insulator/boundary region that consists essentially of a contiguous nucleotide sequence from about nucleotide 8365 to about nucleotide 9273 of SEQ ID NO:109, SEQ ID NO:110, or SEQ ID NO:111, operably positioned upstream5' of a first nucleic acid segment comprising a selected gene of interest operably linked to a first promoter that expresses the gene in a selected host cell~~the LAT enhancer element~~; and
- (be) a second isolated HSV LAT insulatory/boundary region that consists essentially of a contiguous nucleotide sequence from about nucleotide 120,208 to about nucleotide 120,940 of SEQ ID NO:109, SEQ ID NO:110, or SEQ ID NO:111, operably positioned downstream3' of the ~~LAT enhancer element~~first nucleic acid segment.

2-8. (Canceled)

9. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim 1, further comprising: (d) ~~at least a first promoter region operably positioned upstream of the LAT enhancer element, and downstream of the first LAT insulator/boundary region~~ (c) a first enhancer operably linked to the nucleic acid segment.

10. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim 9, wherein the first ~~promoter region~~enhancer comprises an isolated HSV LAP1 ~~promoter~~LAT enhancer.

11-13.(Canceled)

14. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim [[9]]1, wherein the first promoter ~~region~~ comprises an isolated HSV LAP1 promoter ~~that consists essentially of a sequence region of from about nucleotide 117,938 to about 118,843 of any one of SEQ ID NO:109, SEQ ID NO:110, and SEQ ID NO:111.~~

15. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim 14, wherein the first promoter region comprises an isolated HSV LAP1 promoter that consists essentially of a sequence region of from about nucleotide 117,938 to about 118,843 of any one of SEQ ID NO:109, SEQ ID NO:110, and SEQ ID NO:111.

16-26.(Canceled)

27. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim 1, wherein the nucleic acid segment further comprising~~comprises~~ at least a first multiple cloning region operably positioned ~~downstream~~3' of the first ~~promoter~~LAT insulator/boundary region and upstream of the LAT enhancer element isolated HSV LAP.

28. (Canceled)

29. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim 27, wherein the nucleic acid segment further comprising~~comprises~~ at least a second multiple cloning region operably positioned ~~upstream~~5' of the first ~~promoter~~second LAT insulator/boundary region and downstream of the LAT enhancer element.

30. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim 29, wherein the second multiple cloning region further comprises at least a first ~~nucleic acid sequence~~polynucleotide that encodes a first therapeutic agent.

31. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim 30, wherein the ~~second multiple cloning region further comprises a nucleic acid sequence that encodes at least a first therapeutic agent~~ is selected from the group consisting of a peptide, a

polypeptide, a ribozyme, a catalytic RNA molecule, an antisense oligonucleotide, and an antisense polynucleotide.

32-45. (Canceled)

46. (Currently Amended) A ~~viral vector~~virus, virion, or plurality of viral particles that comprises the ~~isolated polynucleotide~~expression vector of claim 1 or claim 73.

47. (Currently Amended) The ~~viral vector~~virus, virion, or plurality of viral particles of claim 46, wherein the ~~vector~~virus, virion, or plurality of viral particles is of retroviral, adenoviral, adeno-associated viral, or herpes viral origin.

48. (Currently Amended) The ~~viral vector~~virus, virion, or plurality of viral particles of claim 47, comprising a gutless HSV vector, a gutless AV vector, a gutless AAV vector, a recombinant HSV vector, a recombinant AV vector, or a recombinant AAV vector.

49-50.(Canceled)

51. (Currently Amended) An isolated mammalian host cell that comprises:

- (a) the ~~isolated polynucleotide~~expression vector of claim 1 or claim 73; or
- (b) a viral vector, virion, or plurality of viral particles that comprises the ~~isolated polynucleotide of claim 1 or claim 73~~expression vector.

52-53. (Canceled)

54. (Currently Amended) A pharmaceutical composition comprising:

- (a) the ~~isolated polynucleotide~~expression vector of claim 1 or claim 73; or
- (b) a viral vector, virion, or plurality of viral particles that comprises the ~~isolated polynucleotide of claim 1 or claim 73~~expression vector.

55-71. (Canceled)

72. (Currently Amended) A recombinant viral vector comprising the ~~isolated polynucleotide~~expression vector of claim 1.

73. (Currently Amended) An ~~isolated polynucleotide~~expression vector that comprises, in 5' to 3' order:

- (a) ~~an HSV LAT enhancer element, consisting of a contiguous nucleotide sequence from about nucleotide 118,975 to about nucleotide 120,471 of any one of SEQ ID NO:109, SEQ ID NO:110, and SEQ ID NO:111;~~
- (b) ~~a first LAT insulator/boundary region, consisting of a contiguous nucleotide sequence from about nucleotide 8365 to about nucleotide 9273 of any one of SEQ ID NO:109, SEQ ID NO:110, and SEQ ID NO:111, operably positioned upstream of the LAT enhancer element; and~~

- ~~(e) a second LAT insulatory/boundary region, consisting of a contiguous nucleotide sequence from about nucleotide 120,208 to about nucleotide 120,940 of any one of SEQ ID NO:109, SEQ ID NO:110, and SEQ ID NO:111, operably positioned downstream of the LAT enhancer element.~~
- (a) a first isolated HSV LAT insulator/boundary region that consists essentially of a contiguous nucleotide sequence from about nucleotide 8365 to about nucleotide 9273 of SEQ ID NO:109, SEQ ID NO:110, or SEQ ID NO:111;
- (b) a first nucleic acid segment comprising a first multiple cloning region operably linked to a first nucleic acid segment comprising a first selected gene of interest operably linked to a first promoter that expresses the first gene of interest in a selected host cell;
- (c) a first enhancer element operably linked to the first nucleic acid segment, wherein the enhancer element consists essentially of a contiguous nucleotide sequence from about nucleotide 118,975 to about nucleotide 120,471 of SEQ ID NO:109, SEQ ID NO:110, or SEQ ID NO:111;
- (d) a second nucleic acid segment comprising a second multiple cloning region operably linked to a second nucleic acid segment comprising a second selected gene of interest operably linked to a second promoter that expresses the second gene of interest in a selected host cell; and
- (e) a second isolated HSV LAT insulatory/boundary region that consists

essentially of a contiguous nucleotide sequence from about nucleotide
120,208 to about nucleotide 120,940 of SEQ ID NO:109,
SEQ ID NO:110, or SEQ ID NO:111.

74. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim 73, ~~further comprising a first promoter region operably positioned upstream of the LAT enhancer element, and downstream of the first LAT insulator/boundary region wherein the first enhancer element comprises an HSV LAT enhancer element.~~
75. (Currently Amended) The ~~isolated polynucleotide~~expression vector of claim 74, wherein the first or the second promoter ~~region consists of a sequence region of from about nucleotide 117,938 to about 118,843 of any one of SEQ ID NO:109, SEQ ID NO:110, and SEQ ID NO:111~~ comprises an HSV LAP1 promoter.
76. (New) The expression vector of claim 73, wherein the first or the second gene of interest encodes a first therapeutic agent.
77. (New) The expression vector of claim 76, wherein the first therapeutic is selected from the group consisting of a peptide, a polypeptide, a ribozyme, a catalytic RNA molecule, an antisense oligonucleotide, and an antisense polynucleotide.